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9 *Attorneys for Appellee*  
10 *BRAIN POWER AMERICA, INC.*

11 IN THE UNITED STATES DISTRICT COURT  
12  
13 DISTRICT OF NEVADA

14 In re DEBRA LEIGH JACOBS,  
15 Appellant,  
16 BRAIN POWER AMERICA  
17 INCORPORATED,  
18 Appellee.

2:15-cv-00533-JAD  
2:15-cv-00911-JAD  
2:15-cv-00912-JAD  
**(Consolidated)**

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20 **AMENDED STIPULATION AND ORDER TO EXTEND**  
**THE DEADLINE FOR BRAIN POWER'S REPLY BRIEF**

21  
22 **FIRST REQUEST**

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24 **WHEREAS**, the parties have collegiately since the scheduling of the consolidated briefing  
25 schedule herein in or about June, 2015;

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27 **WHEREAS**, neither party has found it necessary to file a request an extension of time  
28 heretofore;

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30 **WHEREAS**, the original proposed stipulation was solicited on October 28, 2015 and  
31 submitted to the Court on October 29, 2015, on a timely basis, to extend the deadline for Brain  
32 Power's final Reply Brief by two weeks;

1           **WHEREAS**, solely due to excusable neglect, counsel for Brain Power neglected to include  
2 the statements required under LR 6-1(b);  
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4           **WHEREAS**, this Amended Stipulation still seeks the first extension of time of any brief  
5 herein, and even that for only a two-week period;

6           **WHEREAS**, counsel for Brain Power has specifically requested this Stipulation insofar as  
7 the press of both professional and family matters precluded him having sufficient available time  
8 adequately research and address the issues raised in Jacob's most recent brief;  
9

10          **WHEREAS**, those issues, included an out-of-town deposition trip and multiple additional  
11 depositions in town to comply with the Federal Court discovery deadline established in another case;

12          **WHEREAS**, additionally, counsel for Brain Power departed on his annual scheduled Fall  
13 vacation on or about October 14<sup>th</sup>, intending to return on the evening of the 18<sup>th</sup>, but was delayed  
14 and precluded from returning until the 20<sup>th</sup>;

16          **WHEREAS**, counsel for Brain Power has been dealing with discovery deadlines in two other  
17 major matters, and unfortunately is a sole practitioner and must attend to all these matters personally;

18          **WHEREAS**, counsel for Jacobs recognizes and understands the concerns of a small firm  
19 practitioner and is more happy to accommodate personal and professional needs, particularly where  
20 there is no prejudice to either party from a brief extension.  
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1           **IT IS HEREBY STIPULATED AND AGREED**, by and through the respective  
2 undersigned counsel for the parties hereto, that Appellee, BRAIN POWER AMERICA  
3 INCORPORATED'S Reply Brief, presently due on October 29, 2015, be extended an additional  
4 two weeks to and until November 12, 2015.

5           DATED this \_\_\_\_ day of November, 2015.

6           JOHN W. MUIJE & ASSOCIATES

7           LAW OFFICES OF CHRISTOPHER P. BURKE

8

9           By: /s/ JOHN W. MUIJE, ESQ.

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18           *BRAIN POWER AMERICA, INC.*

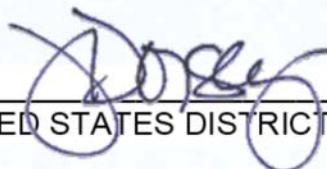
19           By: /s/ CHRISTOPHER P. BURKE, ESQ.

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26           *Attorneys for Appellant*  
27           *DEBRA LEIGH JACOBS*

28           **ORDER**

1           Based on the parties' stipulation, **IT IS HEREBY ORDERED** that Brain  
2 Power America Inc.'s Reply Brief is DUE on or before November 12, 2015.

3           Dated: November 2, 2015.

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5           \_\_\_\_\_  
6           UNITED STATES DISTRICT JUDGE